IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 25170 of 2005

Between:

G. Bala Subbaiah

..... PETITIONER

AND

Employees Provident Fund Appellate Tribunal,

Rep. by its Registrar, New Delhi and another

.....RESPONDENTS

ORDER:

Seeking to quash the order of the 1st respondent in ATA No.47 (1)/2001, dated 27.10.2005 in so far as it relates to direct the petitioner to deposit 75% of the amount covered by the order of the

2nd respondent in Case No.AP/30733 dated 20.10.2000 as a condition precedent for adjudicating the appeal and consequently direct the

1st respondent to entertain and decide the appeal of the petitioner, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned standing counsel appearing for the respondents.

As against the orders passed under Section 7-A of the Provident Fund and Miscellaneous Provisions Act, 1952, the petitioner filed appeal before the appellate tribunal. It is stated that the petitioner has also applied for grant of stay, but the appellate authority passed orders, directing the petitioner to pay 75% of the amount of the impugned order as a condition precedent to entertain the appeal. Aggrieved by the said order, the present writ petition is filed.

This court consistently passed orders in similar cases directing the appellate authority to entertain the appeals and pass appropriate orders on deposit of 50% of the demanded amount.

Having regard to the facts and circumstances of the case, I deem it appropriate to dispose of the writ petition, directing the 1st respondent to entertain the appeal on deposit of 50% of demanded amount, within a period of 4 (four) weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 25.11.2005

Dsr